



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 016778/0439

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a.s.

Applicant: Richard ORMSON et al.
Title: MOBILE COMMUNICATIONS DEVICE DISPLAY
Serial No.: 09/989,683
Filed: November 21, 2001
Examiner: N.A. Maung
Art Unit: 2684

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Technology Center 2600

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56 and 37 CFR §1.97**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Submitted herewith on Form PTO-SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR 1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR 1.97 and 1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a prima facie prior art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The instant Information Disclosure Statement is believed to be filed in accordance with 37 C.F.R. 1.97(b), prior to the mailing date of a first Office Action on the merits (first scenario). If that is not the case, such as in a second scenario in which a first Office Action on the merits has been mailed before the filing of the instant Information Disclosure Statement, then either a certification or fee is required, and a certification is provided below. If neither of the first or second scenarios is the case, such as if a final Office Action or a notice of allowance has been mailed by the PTO (third scenario), then both a certification and fee are required, and in that case a certification is provided below and also the PTO is authorized to obtain the necessary fee to have the instant IDS considered, from Foley & Lardner Deposit Account #19-0741.

CERTIFICATION

The undersigned hereby certifies in accordance with 37 C.F.R. §1.97(e)(1) that items of information A2 and A3 listed on the Form PTO SB/08 submitted with this Information Disclosure Statement were first cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Statement. Item of information A1 is a U.S. patent that is a counterpart to item of information A3.

RELEVANCE OF EACH DOCUMENT

A translation of a portion of a Chinese Office Action that issued December 26, 2003 with respect to a counterpart Chinese patent application is provided below.

"This application relates to a mobile communications terminal device. Through examination, now the following examination opinions are provided:

1. Independent claim 1 claims a communications device, ref. 1 discloses a communication terminal, comprising a main display area and a keypad for user data entry, if further comprising a plurality of touch display areas divided by a

display screen configured to display one or more user input options and to allow selection of the user input options through the touch display area Fig. 6 of ref. 1 and the related statements), it shows that all the contents of claim 1 have been disclosed in ref. 1, both belong to the same field, use the same solution and fulfill the same effects, therefore claim 1 is not in conformity with the provision on novelty of Art. 22, para. 2 of the Patent Law.

2. As for dependent claim 2, ref. 1 discloses that the touch display area is a part divided by a display screen, i.e., the main display area and the touch display area are each part of a single display (Fig. 6 of ref. 1), therefore said claim has no novelty.
3. As for dependent claim 3, it belongs to publicly-known general knowledge of this field that the touch display screen has a mask, ref. 1 discloses the technical feature that the touch display screen shows the user input options as keys, therefore said claim has not novelty.
4. As for dependent claim 4, ref. 1 discloses that the touch display area may be divided to be arranged in any position of the display screen (Fig. 6b of ref. 1), it means that certainly the touch display area is arranged between the main display area and the keypad, it is obvious to those skilled in the art to conceive it without for inventive work, therefore said claim is not in conformity with the provision on inventiveness of Art 1., 22, para. 3 of the Patent Law for failure to possess prominent substantive features, nor represent a notable progress.
5. As for dependent claims 5 and 6, ref. 1 discloses a mobile telephone communication device, certainly it may include a mobile communications device of the same type, comprising a mobile telephone and a WAP mobile telephone, etc., therefore said claims have no novelty.

For the above reasons, the independent claim and dependent claims of this application have no novelty or inventiveness, besides, no other substantive contents for which a patent right may be granted are written in the description of this application, therefore, even if the applicant recombines the claims and/or makes further definition on the basis of the disclosure contained in the description, this application has no patentable prospects. If the applicant cannot provide reasons and proofs that this application has patentability within the time limit for response prescribed in this Office Action, this application will be rejected."

Applicant's statements regarding the Chinese Office Actions are based on a partial translation that Applicant's representative obtained. These statements should in no way be considered as an agreement by Applicant with, or an admission of, what is asserted in the Chinese Office Action.

Applicant respectfully requests that the listed documents be considered by the Examiner and formally be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

Respectfully submitted,

March 12, 2004
Date

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